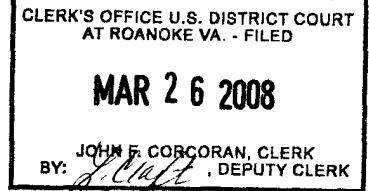


# UNITED STATES DISTRICT COURT

for the

Western District of Virginia



United States of America )

v. )

Robert Lewis Mack )

Date of Previous Judgment: October 29, 2004 )

(Use Date of Last Amended Judgment if Applicable) )

Case No: 7:04CR00011-001

USM No: 10230-084

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 108 months **is reduced to** 87 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 31

Amended Offense Level: 29

Criminal History Category: I

Criminal History Category: I

Previous Guideline Range: 108 to 135 months

Amended Guideline Range: 87 to 108 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

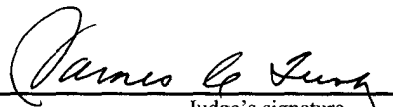
### III. ADDITIONAL COMMENTS

The factors listed in 18 U.S.C. § 3553(a) having been considered, the government's objections to the reduction are overruled.

Except as provided above, all provisions of the judgment dated 10/29/2004 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 26, 2008

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

James C. Turk, Senior United States District Judge  
Printed name and title